

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**CHARLES W. BEAL, JR.,
Plaintiff,**

v.

**JAMES BELLER and
MATT STRELOW,
Defendants.**

**Case No. 12-CV-1146
Appeal No. 14-2628**

ORDER

Charles Beal has filed a motion asking me to reconsider my order granting summary judgment in favor of defendants. Specifically, plaintiff asks me to reconsider my decision in light of the fact that certain court records were initially “lost,” which kept him from complying with the discovery deadline. I did not grant summary judgment for failure to comply with the discovery deadline; I granted summary judgments on the merits of plaintiff’s claims, and I considered all information plaintiff provided, including the court records to which he refers. Therefore, I see no basis for reconsidering my order granting summary judgment.

Plaintiff also filed a motion to reopen discovery and to file an amended complaint to add a defendant. Because I dismissed this case in its entirety prior to this motion, I will deny plaintiff’s request.

Finally, plaintiff has filed an appeal from my summary judgment order has requested leave to appeal in forma pauperis. See 28 U.S.C. § 1915(a)(1). However, under Federal Rule of Appellate Procedure 24(a)(3), a party who was permitted to proceed in forma pauperis in the district court may proceed on appeal in forma pauperis without further

authorization unless certain conditions that do not apply here are met. In the present case, Beal was permitted to proceed in forma pauperis in the district court, and therefore he does not need further authorization to proceed in forma pauperis on appeal.

THEREFORE, IT IS ORDERED that plaintiff's motion for reconsideration (ECF No. 40) is **DENIED**.

IT IS FURTHER ORDERED that plaintiff's motion for discovery and to amend/correct (ECF No. 53) is **DENIED**.

IT IS FURTHER ORDERED that plaintiff's motion for leave to proceed in forma pauperis on appeal (ECF No. 39) is **DENIED** as **MOOT**.

Dated at Milwaukee, Wisconsin, this 29th day of January, 2015.

s/ Lynn Adelman

LYNN ADELMAN
District Judge